

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

THE UNITED STATES OF AMERICA *ex rel.*
JULIE LONG,

Plaintiff,

V.

JANSSEN BIOTECH, INC.,

Defendant.

Civil Action No.
16-CV-12182-FDS

**PLAINTIFF’S MOTION FOR *IN CAMERA* REVIEW OF DOCUMENTS WITHHELD
ON THE BASIS OF ATTORNEY-CLIENT PRIVILEGE**

Plaintiff-relator Julie Long hereby moves for an *in camera* review of documents redacted or withheld by Janssen on the basis of the attorney-client privilege. This motion is necessary because it is not clear from Janssen’s privilege log that each of the identified materials is subject to the privilege and because Janssen has a history of asserting the privilege in an inconsistent and overbroad manner. Plaintiff, therefore, respectfully requests that the Court conduct an *in camera* review of a limited subset of documents in the categories set forth in her memorandum of law in support of this motion so that it may consider and rule on Janssen’s privilege assertions and provide guidance to the parties to be applied to the remaining redacted or withheld documents. In the alternative, Plaintiff respectfully requests the Court to appoint a special master to review all the documents listed on Janssen’s privilege log and determine the applicability of the attorney-client privilege with regard to each document.

Dated: July 17, 2024

Respectfully submitted,

/s/ Diana L. Martin

Theodore J. Leopold (admitted pro hac vice)

Leslie M. Kroeger (admitted pro hac vice)

Diana L. Martin (admitted pro hac vice)

Poorad Razavi (admitted pro hac vice)

COHEN MILSTEIN SELLERS & TOLL PLLC

11780 U.S. Highway One, Suite N500

Palm Beach Gardens, FL 33408

(561) 515-1400

tleopold@cohenmilstein.com

lkroeger@cohenmilstein.com

dmartin@cohenmilstein.com

prazavi@cohenmilstein.com

Casey M. Preston (admitted pro hac vice)

Gary L. Azorsky (admitted pro hac vice)

Jeanne A. Markey (admitted pro hac vice)

Adnan Toric (admitted pro hac vice)

COHEN MILSTEIN SELLERS & TOLL PLLC

100-120 N. 18th Street, Suite 1820

Philadelphia, PA 19103

(267) 479-5700

cpreston@cohenmilstein.com

gazorsky@cohenmilstein.com

jmarkey@cohenmilstein.com

atoric@cohenmilstein.com

Jonathan Shapiro (BBO No. 454220)

SHAPIRO & TEITELBAUM LLP

55 Union Street, 4th Floor

Boston, MA 02108

(617) 742-5800

jshapiro@jsmtlegal.com

Counsel for Plaintiff-Relator Julie Long

Local Rules 7.1 And 37.1 Certification

In accordance with Local Rules 7.1(a)(2) and 37.1(a), counsel for plaintiff-relator Julie Long certify that they conferred with counsel for defendant Janssen Biotech, Inc., in a good faith effort to resolve or narrow the issues presented in this motion. While they did narrow some issues,

they were unable to reach an agreement that obviates the need for this motion.

Respectfully submitted,

/s/ Diana L. Martin

Diana L. Martin (admitted pro hac vice)

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF and paper copies will be sent to those indicated as non-registered participants on July 17, 2024.

/s/ Diana L. Martin

Diana L. Martin (admitted pro hac vice)